



UNITED STATES PATENT AND TRADEMARK OFFICE

T.D

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/064,105	06/11/2002	Michael W. Hawman	EH-10536 (05-397)	3029
52237	7590	06/16/2006		EXAMINER
BACHMAN & LAPOINTE, P.C. (P&W) 900 CHAPEL STREET SUITE 1201 NEW HAVEN, CT 06510-2802			JARRETT, RYAN A	
			ART UNIT	PAPER NUMBER
			2125	

DATE MAILED: 06/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/064,105	HAWMAN ET AL.	
	Examiner	Art Unit	
	Ryan A. Jarrett	2125	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 09 March 2006.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-8,11-25,27,34-37,40,42-45 and 47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-8,11-25,27,34-37,40,42-45 and 47 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 03/09/2006 have been fully considered but they are not persuasive. Applicant argues that the prior art of record fails to teach receiving part identifier information "for use in a rule-based generated bill of material". However, this newly added feature has been rejected below under 35 U.S.C. 112 1st paragraph (written description and enablement) and 35 U.S.C. 2nd paragraph. Furthermore, this feature constitutes an intended use. The feature is not positively recited and carries no patentable weight.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1-8, 11-25, 27, 34-37, 40, 42-45, and 47 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The original specification does not appear to disclose a "rule-based generated bill of material".

4. Claims 1-8, 11-25, 27, 34-37, 40, 42-45, and 47 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The original specification does not appear to disclose a "rule-based generated bill of material", it is not clear or apparent to one of ordinary skill in the art what is meant by a "rule-based generated bill of material", and therefore one of ordinary skill in the art would not know how to make and/or use such a "rule-based generated bill of material".

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-8, 11-25, 27, 34-37, 40, 42-45, and 47 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is not clear what is meant by "rule-based generated bill of material".

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-3, 5-7, 11-13, 17, 23, 24, 27, 34-37, 42, and 44 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Aoki US 2001/0056310. For example, Aoki discloses:

2. **A computerized method assisting the routing of a part, comprising the steps of: providing at least one computer; receiving part identifier information (e.g., Fig. 3 step S1) for use in a rule-based generated bill of material (Examiner's Note (EN): *intended use, not positively recited, no patentable weight*); and generating a tag for affixing to said part, said tag having information thereon responsive to said part identifier information (e.g., Fig. 3 step S1); evaluating a characteristic of said part based upon said information on said tag to determine a disposition of said part (e.g., Fig. 3 steps S2-S4); modifying said disposition of said part (e.g., Fig. 3 steps S4-S5), if necessary, relative to a disposition of a second part (e.g., [0001]-[0006], EN: *When the disposition of a first part is modified, it is inherent that this modification is "relative" to a disposition of a second part since the different products in the assembly line inherently have some sort of spatial or positional relationship to each other.*); receiving said disposition of said part (e.g., Fig. 3 step S5); and generating a new tag for affixing to said part, said tag having information thereon responsive to said**

part characteristic (e.g., Fig. 3 step S5); wherein said user can review and route said part accordingly (e.g., Fig. 3 steps S6-S7).

12. A computerized method of tailoring work instructions to perform on a part, comprising the steps of: providing at least one computer having memory with global work instructions therein for use in a rule-based generated bill of material (EN: *intended use, not positively recited, no patentable weight*), said global work instructions relevant to a plurality of parts and to a plurality of work locations (e.g., [0036]); receiving part identifier information and work location information (e.g., Fig. 3 step S3); processing said part identifier information and said work location information (e.g., Fig. 3 step S4); and generating tailored work instructions from said computer responsive to said part identifier information and said work location information (e.g., Fig. 3 step S5); wherein a user reviews said tailored work instructions and performs said tailored work instructions accordingly (e.g., Fig. 3 step S6).

13. The method of claim 12, wherein said processing step comprises searching said global work instructions for tasks relevant to said part and said work location (e.g., Fig. 3 step S4).

17. The method of claim 12, wherein said part identifier information includes a part number (e.g., [0043]).

37. A computer system for dispositioning of parts, comprising: means for receiving part identifier information for a first part and a second part for use in a rule-based generated bill of material (EN: *intended use, not positively recited, no patentable weight*); and means for processing said first and second part identifier information to produce first and second part dispositions (e.g., Fig. 3), wherein said second part disposition may

require adjustment to said first part disposition (*EN: not positively recited and thus carries no patentable weight*).

8. Claims 2, 14, 20, 21, 37, and 40 are rejected under 35 U.S.C. 102(e) as being anticipated by Madden et al. U.S. Patent No. 6,516,239. Madden et al. discloses:

2. A computerized method assisting the routing of a part, comprising the steps of: providing at least one computer; receiving part identifier information for use in a rule-based generated bill of material (*EN: intended use, not positively recited, no patentable weight*); and generating a tag for affixing to said part, said tag having information thereon responsive to said part identifier information; evaluating a characteristic of said part based upon said information on said tag to determine a disposition of said part; modifying said disposition of said part, if necessary, relative to a disposition of a second part (e.g., col. 4 lines 10-54: “reordering said first and second assemblies”); receiving said disposition of said part; and generating a new tag for affixing to said part, said tag having information thereon responsive to said part characteristic (e.g., col. 12 lines 7-29, *EN: In this case, the claimed “affixed tag” corresponds to the affixed VID bar code of Madden. The VID is associated with records, data, and other information on a server database. This information is updated when the parts come into contact with a bar code reader, which corresponds to the claimed “generating a new tag”, col. 16 line 65 – col. 17 line 2, EN: Madden also discloses that “tracking sheets” for the parts may be printed); wherein said user can review said information on said tag and route said part accordingly (e.g., col. 15 lines 33-55, e.g., col. 16 lines 29-64, e.g., col. 22 line 47 – col. 23 line 17).*

14. A computerized method of dispositioning of parts, comprising the steps of: providing at least one computer; receiving part identifier information for a first part for

use in a rule-based generated bill of material (EN: *intended use, not positively recited, no patentable weight*); determining a disposition of said first part responsive to said first part identifier information; receiving part identifier information for a second part to said computer for use in a rule-based generated bill of material (EN: *intended use, not positively recited, no patentable weight*); determining a disposition of said second part responsive to said second part identifier; determining whether said second part disposition requires adjustment to said first part disposition; and if necessary, modifying said first part disposition and modifying said second part disposition in response to said first part disposition modification (e.g., col. 4 lines 10-54: “reordering said first and second assemblies”); wherein a user reviews said first and second dispositions and dispositions said first and second parts accordingly (e.g., col. 15 lines 33-55, e.g., col. 16 lines 29-64, e.g., col. 22 line 47 – col. 23 line 17).

20. The method of claim 14, wherein said part identifier information includes a part number (e.g., col. 7 lines 29-36).

21. The method of claim 20, wherein said part identifier information also includes a serial number (e.g., col. 7 lines 29-36).

37. A computer system for dispositioning of parts, comprising: means for receiving part identifier information for a first part and a second part for use in a rule-based generated bill of material (EN: *intended use, not positively recited, no patentable weight*); and means for processing said first and second part identifier information to produce first and second part dispositions, wherein said first part disposition may require adjustment to said first part disposition (e.g., col. 4 lines 10-54: “reordering said first and second assemblies”).

40. The method of claim 2, wherein said part identifier information includes a serial number (e.g., col. 7 lines 29-36).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 4, 8, 18, 25, 40, 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aoki as applied to claims 2, 7, 12, 17, and 24 above, and further in view of Pappas U.S. Patent No. 6,338,045. Aoki does not explicitly disclose that the part identifier information includes a serial number. However, it would have been obvious to one having ordinary skill in the art at the time of the invention to use a serial number on the parts of Aoki since Pappas discloses the use of serial numbers in an assembly and maintenance operation as a means of tracking the various parts in the operation (e.g., abstract).

11. Claims 15, 16, 19, 43, and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aoki as applied to claims 1, 2, 6, 11, and 12 above, and further in view of Pappas U.S. Patent No. 6,338,045. Aoki does not specifically disclose that the part is a "gas turbine engine part". However, Pappas discloses a method for managing and tracking activities and parts in an aircraft assembly and maintenance operation, including jet engine parts (e.g., col. 5 lines 21-40). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Aoki with Pappas since Pappas teaches that it is desirable to track jet engine

parts in an assembly or maintenance operation in order to help prevent the use of unapproved parts in aircraft (e.g., col. 1 line 10 – col. 2 line 3).

12. Claims 22 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Madden et al. as applied to claims 2 and 14 above, and further in view of Pappas U.S. Patent No. 6,338,045. Madden et al. does not specifically disclose that the part is a “gas turbine engine part”. However, Pappas discloses a method for managing and tracking activities and parts in an aircraft assembly and maintenance operation, including jet engine parts (e.g., col. 5 lines 21-40). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Madden et al. with Pappas since Pappas teaches that it is desirable to track jet engine parts in an assembly or maintenance operation in order to help prevent the use of unapproved parts in aircraft (e.g., col. 1 line 10 – col. 2 line 3).

Conclusion

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan A. Jarrett whose telephone number is (571) 272-3742. The examiner can normally be reached on 10:00-6:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Picard can be reached on (571) 272-3749. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ryan A. Jarrett
Examiner
Art Unit 2125

6/9/06
RAJ



LEO PICARD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100